

MARGIE L. RICE
Mayor

ANDY QUACH
Mayor Pro Tem

FRANK G. FRY
Council Member

KERMIT MARSH
Council Member

TRI TA
Council Member



AGENDA

CITY COUNCIL/REDEVELOPMENT AGENCY REGULAR MEETING

February 13, 2008

6:30 p.m. – Council Conference Room

7:00 p.m. – Council Chambers

**8200 WESTMINSTER BOULEVARD
WESTMINSTER, CALIFORNIA 92683**

If you need special assistance to participate in this meeting, please contact the City Clerk's office at (714) 898-3311. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 American Disabilities Act Title II)

AGENDA INFORMATION

MEETINGS

Regular Meetings of the City Council/Redevelopment Agency are held the second and fourth Wednesday of each month at the hour of 6:00 p.m. (5:00 p.m. if deemed necessary) for Closed Session matters, if required. **The public session of the meeting shall commence at 7:00 p.m.** or as soon thereafter as possible.

While in the City Council Chamber, please *turn off* all cellular phones and pagers.

AGENDA INFORMATION

The agenda contains a brief general description of each item to be considered. Agendas are available at the entryway of the Council Chambers. Supporting documentation to each agenda item is available in the entryway for public review.

PUBLIC COMMENTS

Pursuant to Government Code Section 54954.3, members of the public may address the City Council/Redevelopment Agency/Public Financing Authority during each item on the agenda as called. Oral Communications is held after the Consent Calendar portion of the agenda and provides the public an opportunity to address any items of interest **not on the agenda** that are within the subject matter jurisdiction. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

To address the City Council/Redevelopment Agency on any matter, complete a "Request to Speak" form located at the entrance to the Council Chambers. Present the form to the City Clerk prior to being heard by the City Council. When speaking, please face the City Council and state your name and address for the record.

AGENDA ON THE INTERNET:

The Agenda is available at <http://www.ci.westminster.ca.us>. The agenda can be accessed on the internet on the Friday before the meeting on Wednesday.

TELEVISED MEETING SCHEDULE

Regular City Council/Agency meetings are broadcast live on Westminster Cable Channel 3 and REBROADCAST on Monday and Friday at 11:00 a.m.; Tuesday, Wednesday and Thursday at 7:00 p.m.; Wednesday at 12 noon; and Saturday and Sunday at 6:00 p.m.

PUBLIC USE OF COUNCIL CHAMBER EQUIPMENT

All computer presentations must be e-mailed or provided on a CD-ROM to the City Clerk at least 48 hours prior to the meeting. Items to be displayed on the overhead projector must be submitted to the City Clerk for review prior to use of the equipment.

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February 13, 2008

6:30 P.M.
CLOSED SESSION

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY
DURING ANY ITEM TO BE CONSIDERED IN CLOSED SESSION.

CALL TO ORDER:

ROLL CALL

PRESENT:

ABSENT:

CLOSED SESSION:

The City Council/Redevelopment Agency will recess to a Closed Session for the following purposes:

- 1) Conference with Legal Counsel pursuant to Government Code Section 54956.9(b): Anticipated Litigation (one potential case).

RECESS:

AGENDA

February 13, 2008

7:00 P.M.

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY OR PUBLIC FINANCING AUTHORITY DURING EACH ITEM ON THE AGENDA AS CALLED.

The City Council/Redevelopment Agency of the City of Westminster will regularly convene in joint session for the purpose of considering the following City Council/Redevelopment Agency Agenda items. The Westminster Public Financing Authority is also an agency on which Council serves as members. This Agency may also have items scheduled.

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

ROLL CALL: RICE, QUACH, FRY, MARSH, TA

PRESENT:

ABSENT:

SALUTE TO FLAG: City Attorney

INVOCATION:

REPORT OUT OF CLOSED SESSION:

The City Attorney shall determine if any actions taken by the City Council/Redevelopment Agency in Closed Session shall require a reporting on those actions as required by law (Government Code 54957.1(a) (3) (B)).

SPECIAL PRESENTATIONS:

- A. Presentation of Annual Report by Beckie Welty, Orange County Human Relations Commission
- B. Presentation of banner from DeMille Elementary School Students
- C. Staff Recognition of 50th Anniversary Celebrations

REPORT FROM CITY CLERK ON LATE COMMUNICATION ITEMS

NOTE: Any writings or documents provided to a majority of the City Council/Agency Board regarding any item on this agenda is available for public inspection at the public counter at City Hall located at 8200 Westminster Boulevard, Westminster, CA during normal business hours, except such documents that relate to closed session items or which are otherwise exempt from disclosure under applicable law. These writings are also available for review in the public access binder located in the entryway to the Council Chambers.

AGENDA

February 13, 2008

1. CONSENT CALENDAR

ALL MATTERS LISTED UNDER THE CONSENT CALENDAR ARE CONSIDERED ROUTINE AND WILL BE ENACTED BY ONE VOTE. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS MEMBERS OF THE CITY COUNCIL/REDEVELOPMENT AGENCY/PUBLIC FINANCING AUTHORITY, THE PUBLIC, OR STAFF REQUEST SPECIFIC ITEMS BE REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE ACTION OR DISCUSSION.

COMPLETE THE ATTACHED GREEN FORM AND GIVE TO THE CITY CLERK PRIOR TO THE CONSENT CALENDAR PORTION OF THE AGENDA. WHEN YOUR NAME IS CALLED, PLEASE STEP TO THE PODIUM AT THAT TIME AND STATE YOUR NAME AND ADDRESS FOR THE RECORD.

APPROVAL OF MINUTES

- 1.1 **(City Council/Redevelopment Agency) Minutes of the Adjourned Regular Meetings of the City Council/Redevelopment Agency of January 16, 2008 and January 30, 2008.** (Marian Contreras)

RECOMMENDATION: Approve.

ROUTINE MATTERS

- 1.2 **Proclamation declaring February 17-23, 2008 as National Engineers Week in the City of Westminster.**

RECOMMENDATION: Approve.

- 1.3 **Environmental assessment and documentation pertaining to Capital Improvement Project No. 31002-073000 (New Police Facility) Location: Westminster Civic Center (Assessor's Parcel Number 097-080-42) Applicant: City of Westminster; Property Owner: City of Westminster.** (Art Bashmakian)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize the preparation of an environmental assessment and documentation to satisfy the requirements of the California Environmental Quality Act (CEQA) in the amount of \$30,000.

- 1.4 **First Amendment to Consulting Services Agreement with The Planning Center for Planning Related Services.** (Art Bashmakian)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the First Amendment to the Consulting Services Agreement with The Planning Center for an increase of \$43,490 and a total amount not to exceed \$187,490 and authorize the City Manager to execute the amendment on behalf of the City.

AGENDA

February 13, 2008

1. CONSENT CALENDAR (Continued)

1.5 Acceptance of Easement Deed for Waterline Purposes for 8166 Crown Court. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council accept an Easement Deed for the subject property, and authorize the City Clerk to record the deed with the County Recorder's Office.

1.6 Change Order with All American Asphalt and Notice of Completion for the work performed by All American Asphalt, Inc., for the Rancho Road Street Improvement Project from Westminster Boulevard to Bolsa Chica Road.– (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Authorize an Increase of \$93,508.46 to Purchase Order No. 4568 with All American Asphalt; and
- 2) Accept the subject project and authorize the City Clerk to file a Notice of Completion with the County Recorder's Office.

1.7 Change Order with All American Asphalt and Notice of Completion for the work performed for the Madison Circle, Yermo Way, Washington Avenue, Alcester Street, Given Place, Butte Street, and Sabre Lane Street Improvements - Project No. CDBG 07-08. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Approve an increase of \$17,772.19 to Purchase Order No. 4567 with All American Asphalt; and
- 2) Accept the subject project and authorize the City Clerk to file a Notice of Completion with the County Recorder's Office.

1.8 Facility Use Request - Greater Grace Church of Deliverance (Greg Johnson)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the fee waiver from the Greater Grace Church of Deliverance for use of the Senior Center Dining Room for their choir banquet from 6:00 p.m. to 8:30 p.m on February 23, 2008.

AGENDA

February 13, 2008

1. CONSENT CALENDAR (Continued)

1.9 License Agreement with Southern California Edison for Placement of Banners on Street Light Poles. (Greg Johnson)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the License Agreement with Southern California Edison for placement of banners on street light poles, and authorize the City Manager to execute the agreement on behalf of the City.

ORDINANCES (SECOND READING)/RESOLUTIONS

1.10 Resolution No. 4141 - A Resolution of the Mayor and City Council of the City of Westminster Approving the Submittal of Seven Capital Improvement Projects to the Orange County Transportation Authority for Funding Under the Combined Transportation Funding Program. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4141.

WARRANT REGISTER

1.11 (City Council/Redevelopment Agency) Warrant Register dated January 23, 2008 through February 5, 2008. (Paul Espinoza)

RECOMMENDATION: Approve.

INFORMATION AND REPORTS

1.12 Minutes of the Planning Commission meeting held December 5, 2007 (Don Anderson)

RECOMMENDATION: Receive and file.

1.13 Community Development Monthly Activity Report – January 2008 (Don Anderson)

RECOMMENDATION: Receive and file.

1.14 Minutes of the Traffic Commission meeting held January 29, 2008 (Marwan Youssef)

RECOMMENDATION: Receive and file.

END OF CONSENT CALENDAR

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AGENDA

February 13, 2008

2. ORAL COMMUNICATIONS

THIS IS THE TIME OF THE MEETING THAT MEMBERS OF THE PUBLIC MAY ADDRESS THE CITY COUNCIL/REDEVELOPMENT AGENCY REGARDING ANY ITEMS OF INTEREST NOT ON THE AGENDA THAT ARE WITHIN THE SUBJECT MATTER JURISDICTION OF THE CITY COUNCIL/AGENCY BOARD. COMMENTS SHALL BE LIMITED TO THREE MINUTES PER SPEAKER.

COMPLETE THE ATTACHED **GREEN** FORM AND GIVE IT TO THE CITY CLERK. WHEN YOUR NAME IS CALLED, PLEASE STEP TO THE PODIUM AT THAT TIME AND STATE YOUR NAME AND ADDRESS FOR THE RECORD.

3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

3.1 The actions of the Planning Commission meeting held on February 6, 2008.

RECOMMENDATION: That the City Council determine if they wish to call up any items for review from the Planning Commission meeting of February 6, 2008

- 1) Case No. 2007-52 Variance from setback and parking standards for a detached accessory structure constructed on the subject site without permits. Location: 7781 13th Street.

4. PUBLIC HEARINGS – None

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

5.2 AB 1234 Reports -

5.3 Consideration of a Request from Yen Tan Pham, Project Manager to waive the required park in-lieu fee of \$142,681.65 for the previously approved 12 unit townhouse project (Case No. 2003-21) located at 7861 23rd Street. (Mayor Pro Tem Quach)

RECOMMENDATION: Staff recommends that the Mayor and City Council reject the requested fee waiver, but consider deferral of the fee and collect the prorated fee as each unit is sold.

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6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

- 6.1 **Review of Case No. 2007-77 (Design Review), an appeal of the Planning Commission's decision determining that a proposed 25-foot high pylon sign is inappropriate and inconsistent with the City's adopted Design Standards Manual. Location: 15054 Moran Street (Assessor's Parcel Number 143-621-04) Applicant: Mr. Tom Pham; Property Owner: Mr. Hai Dinh (Deferred from the October 24, 2007 meeting). (Art Bashmakian)**

RECOMMENDATION: The Planning Commission recommends that the Mayor and City Council adopt Resolution No. 4120 entitled: "A Resolution of the Mayor and City Council of the City of Westminster pertaining to Case 2007-77 upholding the Planning Commission's determination that a pylon sign is inappropriate and inconsistent with the City's adopted Design Standards Manual for the property located at 15054 Moran Street (Assessor's Parcel Number 143-621-04), in the C2 (General Business) District."

- 6.2 **(Redevelopment Agency) Exclusive Negotiation Agreement with AMCAL Multi-Housing, Inc. for the Development of Affordable Workforce Housing and Purchase of a 1.18 acre Site located at 280 Hospital Circle (APN 096-252-017). (Don Anderson)**

RECOMMENDATION: Staff recommends that the Chair and Agency Board:

- 1) Adopt Resolution No. 187 entitled "A Resolution of the Westminster Redevelopment Agency approving the terms and conditions set forth in the Exclusive Negotiation Agreement with AMCAL Multi-Housing, Inc." (attached as Exhibit A to the Resolution.);
- 2) Authorize the Executive Director to execute and implement the Exclusive Negotiation Agreement with AMCAL Multi-Housing Inc. as the developer, providing direction to prepare a Disposition and Development Agreement with AMCAL Multi-Housing , Inc. that will provide for the development of up to forty (40) multi-family affordable workforce housing units; and
- 3) Adopt Resolution No. 188 entitled, "A Resolution of the Westminster Redevelopment Agency authorizing the Executive Director to execute an Assignment and Assumption Agreement and any other related documents necessary to complete purchase of the property located at 280 Hospital Circle, Westminster, California (APN 096-251-017) with Redevelopment Low and Moderate Income Housing Funds; and **declaring** that the project is of benefit to the Project Area; and **authorizing** the Executive Director to accept the Grant Deed for the Property."

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6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR (Continued)

6.3 Deferment of the Appeal for the Revocation of the Police Permit for International Billiards - 6328 Westminster Boulevard (deferred from the January 30, 2008 meeting). (Andy Hall)

RECOMMENDATION: Staff recommends that the Mayor and City Council defer the appeal of the Police Department's revocation of the police permit at International Billiards to a date uncertain, pending agreement to terms between the City of Westminster and International Billiards for the establishment of a Conditional Use Permit at the location.

6.4 New Police Building Design Progress Study Session Meeting Dates. (Mitch Waller)

RECOMMENDATION: Staff recommends that the Mayor and City Council calendar the listed dates for Study Session meetings to provide direction to staff regarding the planning, design and budget for the new police building.

- 1) Monday, February 25, 2008 at 5:00 p.m.
- 2) Monday, June 23, 2008 at 5:00 p.m.
- 3) Monday, August 25, 2008 at 5:00 p.m.

6.5 Rose Center Foundation Fundraiser Flyer. (Paul Espinoza)

RECOMMENDATION: Staff recommends that the Mayor and City Council consider utilizing the City's water billing system to mail the Rose Center Foundation Fundraiser announcement for a special preview of the feature film Beautiful Dreamer on April 4, 2008.

7. WRITTEN COMMUNICATIONS (Public) – None.

8. LEGISLATIVE ITEMS – None.

9. COMMISSION AND COMMITTEE ITEMS

9.1 Parking restrictions on the west side of Edwards Street, north of Trask Avenue related to the new traffic signal installation, T.C. 95-100. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4138 entitled, "A Resolution of the Mayor and City Council of the City of Westminster providing for no parking or stopping at a certain location on the west side of Edwards Street, north of Trask Avenue".

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9. COMMISSION AND COMMITTEE ITEMS (Continued)

9.2 **Parking restrictions on the south side of Trask Avenue, west of Chestnut Street T.C. 70-283.** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4139 entitled, "A Resolution of the Mayor and City Council of the City of Westminster providing for no parking or stopping at a certain location on the south side of Trask Avenue, west of Chestnut Street."

9.3 **Parking restrictions on the east side of Monroe Street, north of Westminster Boulevard T.C. 77-123.** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4140 entitled, "A Resolution of the Mayor and City Council of the City of Westminster providing for no parking or stopping at a certain location on east side of Monroe Street, north of Westminster Boulevard."

10. **COUNCIL/AGENCY ADJOURNMENT:** To Monday, February 20, 2008 at 6:00 p.m. in the Council Chambers, 8200 Westminster Boulevard, Westminster, California for the purpose of holding the mid-year budget review and/or to discuss City/Agency business.

DECLARATION: This agenda was posted on the Bulletin Board outside of the Council Chambers, where completely accessible to the public, at least 72 hours in advance of the City Council/Redevelopment Agency meeting.

Marian Contreras

Marian Contreras, City Clerk/Agency Secretary